

Application No. 09/296,452
Amendment "C" dated July 15, 2003
Reply to Office Action mailed May 12, 2003

REMARKS

Applicants and applicants' attorney express appreciation to the Examiner for the courtesy of the recent interview held on July 8, 2003. The claim amendments made by this paper are consistent with the proposals and discussions made during the Interview.

In the Final Office Action, dated May 12, 2003, claims 6-11, 23-27, 88 and 90 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schindler (U.S. Patent No. 6,081,830) in view of Croy (U.S. Patent No. 6,509,908). Claims 89 and 91 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schindler, in view of Croy and further in view of Presto's Tribes Client Scripter (hereinafter "Presto"). Claims 58-62, 64 and 73-77 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ullman (U.S. Patent No. 6,330,595) in view of Trovato (U.S. Patent No. 6,425,012). Claims 63 and 78 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ullman in view of Trovato and further in view of Presto. Claims 70 and 84 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ullman in view of Trovato and Schindler and further in view of Croy.

The Examiner also objected to the drawings in the summary sheet, but has not specified what the objections are within the Office Action. Accordingly, the Examiner is respectfully requested to clarify what the drawing objections are so they can be corrected.

By this paper, claims 10, 27, 58 and 73 have been amended¹ and new claims 92-93 have been added². Accordingly, claims 6-11, 23-27 and 58-93 are presented for reconsideration, of which claims 10, 27, 58 and 73 are the independent claims at issue.

Claim 10 is directed to a method for displaying chat and video signals on a computing system display. The method includes the acts of receiving a video signal, displaying the video signal in a video region, receiving text communications from a person seeing the video signal, and displaying the received text in a chat region on the display with the video signal. As further recited, an identifying characteristic of the video signal is also displayed with the video and chat, but outside and underlying at least one of the video region and the chat region. Claim 27 is directed to a graphical user interface through which the method of claim 10 is implemented.

¹ It will be appreciated that the claim amendments made herein should not be construed as Applicant acquiescing to the purported teaching and prior art status of the art of record, namely, Ullman, Croy, Trovato and Presto. Accordingly, Applicants reserve the right to further challenge the purported teaching and prior art status of the art of record, at any appropriate time, should it arise.

² The support in the Specification for these new dependent claims is found on page 21, line 16 thru page 22, line 2.

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Claim 58 is directed to a method for controlling client system access to one or more chat rooms that are associated with particular video programming. As recited, the method includes a client system receiving and displaying video programming. The client system also displays a user selectable chat link that is associated with the video programming in response to receiving chat link data from a server. Upon receiving selection of the user selectable chat link, the client system then sends a request to a host server that identifies an available chat room that is associated with the video programming, and in such a manner that the client system is automatically connected with the chat room. Claim 73 is directed to a corresponding computer program product for implementing the method of the 58.

New dependent claim 92 is directed to an embodiment in which a new chat link is displayed with the video programming and that is associated with a different video program. This new chat link is displayed prior to the end of the video program.

New dependent claim 58 is directed to an embodiment in which the chat room is maintained by the server only until the user leaves the chat room and wherein the user is the last participant to leave the chat room.

As discussed during the interview, these claims, as well as the other pending claims are neither anticipated by nor made obvious by the cited prior art of record, either singly or in combination. In particular, Schindler, Ullman, Tovato, Croy and Presto, singly and in combination, fail to anticipate or make obvious the combination of elements recited in the pending claims, as discussed during the interview.

Schindler is directed to a system and method for automatically linking to chat rooms. Col. 1, ll. 65-66. In Schindler, a user is automatically presented a chat room corresponding to a television program being displayed at the same time. Col. 7, ll. 3-11. When a user changes a channel, then the chat room is also automatically changed to correspond with the new channel. Col. 6, ll. 44-60.

Ullman is directed to methods and systems for integrating video programming with resources from the Internet. (Abstract). As disclosed, URLs are embedded within the Vertical Blanking Interval (VBI) rather than the entirety of the corresponding web pages. This enables a client to recognize a resource and go to it without requiring the displayed web pages to be stripped down due to the limited carrying capacity of the VBI. The URIs that are received by the client system through the VBI are identified and automatically used to access the

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corresponding pages, which are then automatically integrated with the displayed video programming. Col. 3, ll. 3-44. Ullman does disclose that a chat window can be displayed concurrently with video programming, as does Schindler, however neither of these references provide a user with the option of selecting and opening the chat window from video programming that is being watched, as recited in the claims (claims 58 and 73).

Trovato is directed to a method for automatically assigning a user to a chat room based on a time in which they request a chat room, as well as on other parameters, such as a television viewing profile, a person's location, a personal profile, etc. (Abstract; Col. 2, ll. 5-16.). Trovato is silent, however, to how a chat room is requested or where the chat room is displayed. In fact, there is nothing in Trovato that would suggest a chat room has to be displayed with video programming at all.

The Croy reference is directed to a remote control that is configured with a display. The display can reflect, for example, EPG data. (Abstract, Col. 6, ll. 55-58). The Croy reference was cited by the Examiner for the proposition of a background underlying other information. In particular, reference was made to Figures 14 and 15 in which one portion of text EPG data 1500 is shown to overlie another portion of tabled EPG data 1500. However, as discussed during the interview, Croy is unrelated to the present invention and clearly does not teach or suggest an act of displaying an identifying characteristic of a video signal outside of a chat and video region of a display and wherein the identifying characteristic includes a background underlying at least one of the video region and the chat region, as claimed (claims 10, 27).

Finally, the Presto reference was used by the Examiner to reject certain dependent claims based on the assertion that Presto teaches that a chat region can be superimposed (overlie) over a video region. Presto was not used, however, to reject any of the independent claims. Accordingly, the dependent claims 63, 78, 89 and 91 which were rejected in part based on Presto, should also be distinguished from the art of record and found allowable for at least the same reasons that independent claims 1, 27, 58 and 73 are distinguished from the art of record.

The claimed elements recited in new dependent claim 92 and claim 93 are also not present in any of the cited prior art references. In particular, none of the cited references teach of displaying a second chat link with the video programming that is associated with a different video program than the one being shown and *prior* to the end of the show. The cited references

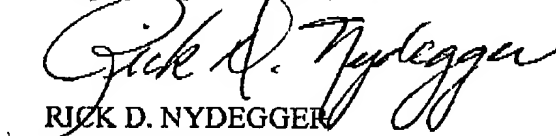
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also fail to teach of maintaining a chat room only until a time in which the user (who is the last participant) leaves the chat room.

For at least the foregoing reasons, as discussed during the interview, Croy, Schindler, Ullman, Trovato and Presto fail to anticipate or make obvious the pending claims, either singly or in combination. Accordingly, Applicant respectfully submits that the pending claims are now in condition for allowance. In the event that the Examiner finds any remaining impediment to allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 15 day of July, 2003.

Respectfully submitted,



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